

ORDINANCE NO. 2015-08

**AN ORDINANCE
VACATING A PORTION A STREET AND AN ALLEY
LOCATED IN THE CITY OF AUBURN, INDIANA**

SUMMARY

This ordinance authorizes the vacation of that portion of the undeveloped Dallas Street that lies south of the Fifteenth Street road right-of-way, west of lots 70 and 71, east of lots 96 and 97, within the Fluke's Third Addition to the Town now City of Auburn, Indiana, and north of J.C. Memorial Park, that section of right of way being approximately 66 feet wide and approximately 104 feet long and more particularly described as follows:

Beginning at the Northeast corner of Lot Numbered Ninety-six (96) in said Fluke's Third Addition and running thence easterly to the Northwest corner of Lot Numbered Seventy-one (71) in said Fluke's Third Addition; thence southerly along the west line of Lots Numbered Seventy-one (71) and Seventy (70) in said Fluke's Third Addition to the Southwest corner of said Lot Numbered Seventy (70); thence westerly to the Southeast corner of Lot Numbered Ninety-seven (97) in said Fluke's Third Addition; thence northerly along the east line of said Lots Numbered Ninety-seven (97) and Ninety-six (96) to the point of beginning; and

The vacation of that portion of an undeveloped alleyway that lies south of the Fifteenth Street road right-of-way, west of lots 68 and 69, east of lots 70 and 71 within the Fluke's Third Addition to the Town now City of Auburn, Indiana, and north of J. C. Memorial Park, that section of right-of-way being approximately 16 feet wide and approximately 105 feet long and more particularly described as follows:

Beginning at the Northeast corner of Lot Numbered Seventy-one (71) in said Fluke’s Third Addition and running thence easterly to the Northwest corner of Lot Numbered Sixty-eight (68) in said Fluke’s Third Addition; thence southerly along the west line of Lots Numbered Sixty-eight (68) and Sixty-nine (69) in said Fluke’s Third Addition to the Southwest corner of said Lot Numbered Sixty-nine (69); thence westerly to the Southeast corner of Lot Numbered Seventy (70) in said Fluke’s Third Addition; thence northerly along the east line of said Lots Numbered Seventy (70) and Seventy-one (71) to the point of beginning.

The areas that are located in the proposed vacated rights-of-way are more particularly shown on the Exhibit attached hereto as Exhibit “A”. A full copy of the ordinance and exhibits referenced herein are available at the Office of the Clerk Treasurer at 210 East Ninth Street, Auburn, Indiana 46706. The Summary is being published without the exhibits.

- | | | | |
|-------------------------------------|--------------------------------------|-------------------------------------|----------------------------|
| <input checked="" type="checkbox"/> | Recorder’s Office | <input checked="" type="checkbox"/> | Publish Public Hearing |
| _____ | Auditor’s Office | _____ | |
| _____ | Clerk’s Office | <input checked="" type="checkbox"/> | Publish O/R after adoption |
| _____ | Other | _____ | |
| <input checked="" type="checkbox"/> | <u>Building Department</u> | | |
| <input checked="" type="checkbox"/> | <u>Engineering Department</u> | | |
| _____ | <u>DeKalb County Plan Commission</u> | | |
| _____ | <u>Internet Code Site</u> | | |

ORDINANCE NO. 2015-08

**AN ORDINANCE
VACATING A PORTION OF A STREET AND AN ALLEY
LOCATED IN THE CITY OF AUBURN, INDIANA**

WHEREAS, a petition was filed with the City of Auburn, Indiana to vacate that undeveloped portion of Dallas Street that lies south of the Fifteenth Street road right-of-way, west of lots 70 and 71, east of lots 96 and 97, within the Fluke's Third Addition to the Town now City of Auburn, Indiana, and north of J.C. Memorial Park, that section of right of way being approximately 66 feet wide and approximately 104 feet long, and more particularly described as follows:

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The vacation of that undeveloped portion of an alleyway that lies south of the Fifteenth Street road right-of-way, west of lots 68 and 69, east of lots 70 and 71 within the Fluke's Third Addition to the Town now City of Auburn, Indiana, and north of J. C. Memorial Park, that section of right-of-way being approximately 16 feet wide and approximately 105 feet long, and more particularly described as follows:

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WHEREAS, a public hearing of the City of Auburn Common Council was held on the ____ day of _____, 2015 at 6:00 P.M. at the Auburn Common Council Chambers regarding the petition for vacation, and

WHEREAS, a second reading of the Ordinance was held on _____, 2015, and

WHEREAS, after due consideration and opportunity for public notice and comment;
and

**IT IS NOW THEREFORE ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF AUBURN, INDIANA THAT:**

Section 1.

That undeveloped portion of Dallas Street that lies south of the Fifteenth Street road right-of-way, west of lots 70 and 71, east of lots 96 and 97, within the Fluke's Third Addition to the Town now City of Auburn, Indiana, and north of J.C. Memorial Park, that section of right of way being approximately 66 feet wide and approximately 104 feet long, and more particularly described as follows:

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The vacation of that undeveloped portion of an alleyway that lies south of the Fifteenth Street road right-of-way, west of lots 68 and 69, east of lots 70 and 71 within the Fluke's Third Addition to the Town now City of Auburn, Indiana, and north of J. C. Memorial Park, that section of right-of-way being approximately 16 feet wide and approximately 105 feet long, and more particularly described as follows:

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See Exhibit "A", consisting of one (1) page, which is attached hereto and made a part hereof further setting forth the area being vacated.

Section 2.

BE IT FURTHER ORDAINED that this Ordinance be in full force and effect from and after publication in a newspaper of general circulation in DeKalb County, Indiana.

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this _____ day of _____, 2015.

James Finchum, Councilmember

ATTEST:

Patricia Miller, Clerk-Treasurer

1ST READING _____
2ND READING _____

Presented by me to the Mayor of the City of Auburn, Indiana, this _____ day of _____, 2015.

PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this _____ day of _____, 2015.

NORMAN E. YODER, Mayor

VOTING:

AYE

NAY

Dennis (Matthew) K. Kruse II

James Finchum

David Painter

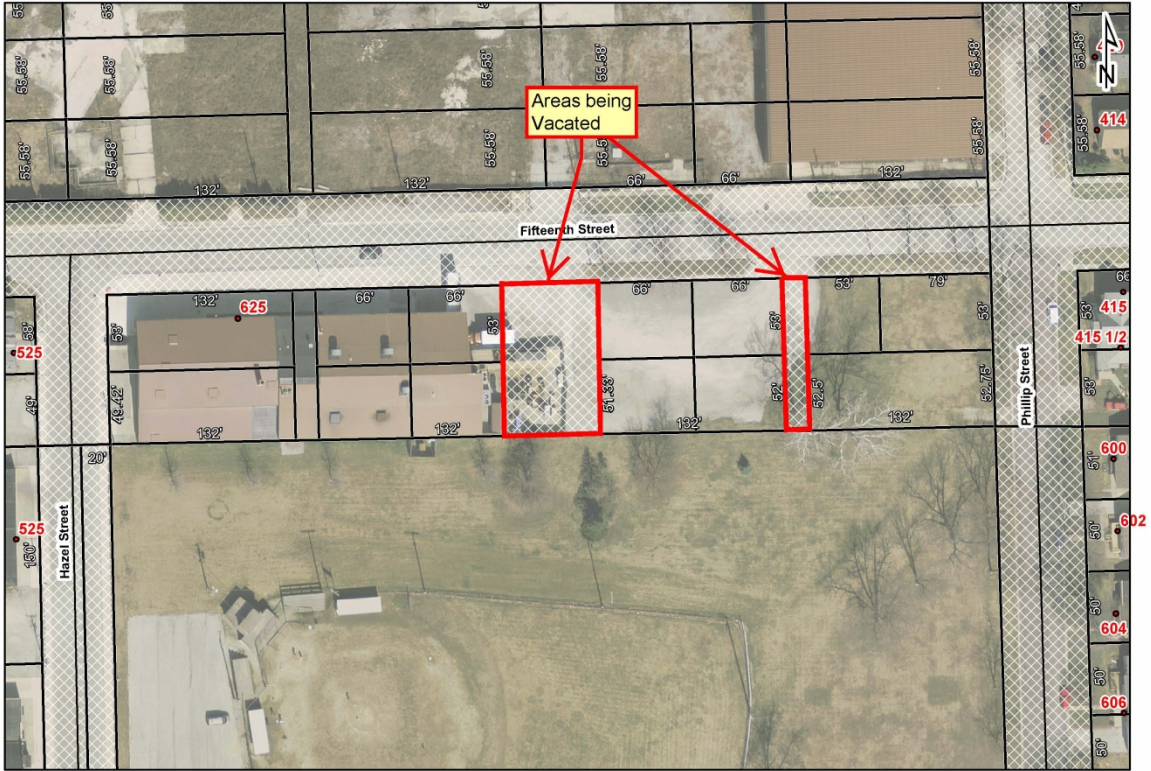
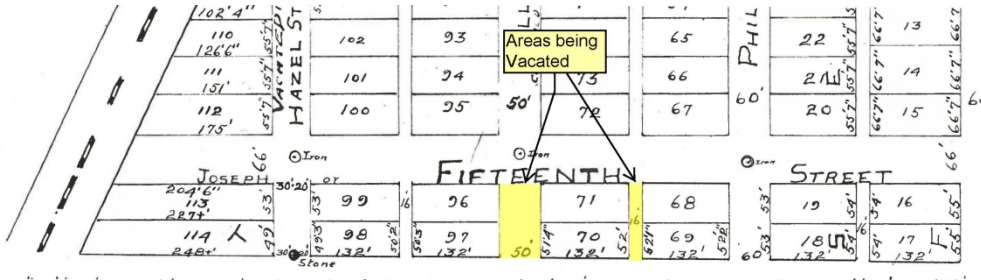
Michael Watson

Kevin Webb

Dennis Ketzenberger

Michael Walter

EXHIBIT "A"



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